

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

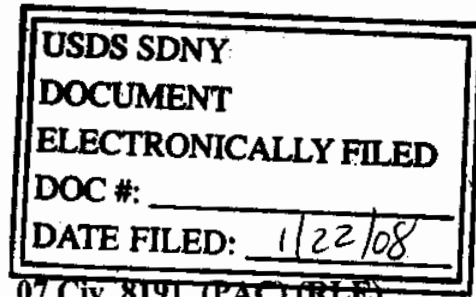
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PlaSmart, Inc.,

Plaintiff,

- against -

John F. Sauerland, d/b/a, Vertex Educational
Whse, d/b/a, IQKids,

Defendant.
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ORDER OF DISCONTINUANCE

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court having been advised that all claims asserted herein have been settled¹, it is,

ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the agreement not be consummated within thirty (30) days of the date hereof. The Court will sign a stipulation of dismissal upon receipt from either party. In light of the settlement, the January 22, 2008 Pretrial Conference is adjourned "sine die". The Clerk of Court is directed to close out this case.

Dated: New York, New York
January 22, 2008

SO ORDERED

A handwritten signature of Paul A. Crotty in black ink.

PAUL A. CROTTY
United States District Judge

¹Phone call received by chambers on January 22, 2008 at approximately 1:25 PM.